

claims against them. The “Notice of Default” erroneously claims that the Receiver has somehow “defaulted” and accepted Drake and Mitchell’s jurisdictional claims by choosing not to respond to the “Notice” – to which no response was required.

In an effort to conserve both the Receiver’s resources and the Court’s time, the Receiver’s response to this “Jurisdictional Challenge” will be very brief. This Court plainly has subject matter jurisdiction over the Receiver’s fraudulent transfer action against the net winners in the ZeekRewards Ponzi scheme. This issue has already been the subject of a Motion to Dismiss that was denied by the Court, and the Court specifically authorized this litigation. *See* Order dated December 9, 2014 (Doc. No. 90). Further, the Receiver has standing to pursue the claims in this action, again by specific authority and direction by the Court. *See, e.g.*, Agreed Order (Doc. No. 4).

Accordingly, Drake and Mitchell’s “Jurisdictional Challenge” should be rejected to the extent the Court determines that it is even necessary or appropriate to respond to their Notice to the Court.

Dated: June 6, 2017

Respectfully submitted,

/s/ Irving M. Brenner

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served upon counsel of record with the Clerk of the court using the CM/ECF system. Further, copies of this document have been sent by U.S. Mail to the following:

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This the 6th day of June, 2017.

/s/ Irving M. Brenner

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